

From: Peter Cullen
To: Microsoft ATR
Date: 1/23/02 9:06am
Subject: Microsoft Settlement

To Whom It May Concern,

As a software engineer with over 13 years of experience, I would like to comment on the Proposed Final Judgement (PFJ) in United States v. Microsoft.

I believe the PFJ Fails to Prohibit Anticompetitive License Terms currently used by Microsoft. Microsoft currently uses restrictive licensing terms to keep Open Source applications from running on Windows. Open source development is one the most important software development paradigms in the world today. Microsoft should not be allowed to prevent applications from running on Windows simply because they are licensed as Open Source software. Clearly, Microsoft sees Open Source development as a threat and is taking measures to protect their monopoly. Microsoft has taken this approach in the past with Netscape Navigator and Sun Microsystems Java, to name only two. Their actions have been upheld in the courts an monopolistic, yet the PFJ does not go far enough in preventing Microsoft from using the same behaviors in the future. Therefore, I believe the Proposed Final Judgment is not in the public interest, and should not be adopted without modifications that address this issue.

Sincerely,
Peter B. Cullen

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